

Civility and Professionalism



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Incivility Is Rampant

- 2013 *Civility in America* Survey
 - 70 percent - incivility has reached crisis levels
 - Social media drive cultural incivility
 - Incivility at school up 20 percent
 - One-third of kids experienced incivility in neighborhoods

Incivility Is Rampant (Continued)

- 2013 *Civility in America* Survey
 - 50 percent ended a friendship
 - 26 percent resigned due to incivility at work
- Civility hasn't improved

Incivility Damages Businesses

- Workers:
 - Waste time obsessing and avoiding
 - Work less hard and well
 - Gossip
 - Become disengaged
 - Leave
 - (Sometimes) file suit

Incivility Damages Businesses (Continued)

- Clients go elsewhere
- Competitors benefit
- Regulators punish
- Reputations suffer
- Costs of investigation and remediation soar

Incivility

- Ruins relationships
- Creates toxic environments
- Harms the bottom line

- *There's plenty of reason to prevent it!*

Understanding Incivility

Incivility Takes Many Forms

- Bullying
- Discrimination
- Harassment
- Rudeness
- Bad temper
- Impatience

Incivility Takes Many Forms (Continued)

- Broken promises
- Nonresponsiveness
- Dishonesty
- Thoughtlessness

Incivility Comes from Many Sources

- Bosses (most frequent)
- Arrogant superstars
- Backbiting gossips
- Entrenched curmudgeons
- Bigots
- Inexperienced up-and-comers
- Innocent errors

Incivility Masquerades As

- Entitlement
- High standards
- Busy-ness
- A legitimate stress response
- No-nonsense culture
- Resistance to political correctness
- Innocent fun

Incivility Creates Toxicity

- Trickles down
- Pervades company culture
- Tough to dislodge once entrenched
- People are loathe to confront

Civility Is Something Else

- Courtesy
- Even-handedness
- Acceptance
- Calm
- Responsiveness
- Responsibility

Civility Is Something Else (Continued)

- Honesty
- Understanding
- Forbearance
- Maturity
- Kindness
- *Professionalism*

Civility and The Code of Conduct

Precept 8

- Provide professional services with courtesy
- Cooperate in the client's interests
- Client has right to choose an adviser
 - You can state an opinion
 - You can also get replaced

Be Courteous

- Your client (and staff)
- Other advisers
- Regulators
- Other third parties
- Competitors, too

Expressing an Opinion

- Calmly state your views
- Disagree, but not disagreeably
- Avoid hostility, sarcasm, and accusations
- Document later as needed

Transferring a Client

- Keep calm and carry on
- Cooperate as needed
- Appropriately address fee disputes

Other Relevant Precepts

- Precept 3, Communications
 - Appropriate to circumstances and intended audience
- Precept 10, Professional Integrity
 - Work with honesty, integrity, skill, and care
 - Ensure subordinates do, too!
- Precept 13, Additional Obligations
 - Follow other codes
 - Reply to ASPPA

Fostering Civility

“We have a choice about how we behave, and that means we have the choice to opt for civility and grace.”

Dwight Currie

Civility Starts at the Top

Leaders, check yourselves!

Adopt Clear Policies

- Identify your audiences
- Discuss before you write
- Get feedback, then finalize
- Let your policies mature
- Don't forget the Internet!

Topics to Train On

- Bullying
- Harassment
- Workplace violence
- Teamwork
- Meeting etiquette
- Third-party relations
- Online interactions

Enforce Policies Fairly

- Avoid playing favorites
- Don't have circumstantial exceptions
- Evaluate for civility
- Reward civil behavior

Maintain a Civil Culture

- Use “zero tolerance” wisely
- Don’t make stress an excuse
- Protect your employees
- Make it a game

Civility in Practice

The Bullying White Whale

- You are wooing an enormous client
- Client is unpleasantly aggressive
- Client brags about firing your predecessor
 - Predecessor warns you off
- You want and can do the work
- *What do you do?*

The Bullying White Whale – Poll

What do you do?

- A. Withdraw from negotiations?
- B. Write civility into the contract?
- C. Go ahead and hope for the best?

The Bullying White Whale – Part 2

- You win the client
- Work is going well
- The client is (reluctantly) impressed
- The client abuses your employee
- *What do you do?*

The Bullying White Whale – Part 2

- *Does it matter if:*
 - *The employee isn't very good?*
 - *The employee could be replaced?*
 - *The employee is protected by law?*

The Bullying White Whale Part 2 - Poll

What do you do?

- A. Say nothing to client, but apologize to employee?
- B. Object, but keep working?
- C. Fire the client?

The Non-Responsive Adviser

- One of your client's advisers is chronically nonresponsive
 - Doesn't get back to you
 - Doesn't produce information
 - Is difficult when pressed
- Your client *loves* this adviser
- *What do you do?*

The Non-Responsive Adviser

- *Does it matter if:*
 - *There are other sources of information?*
 - *The other adviser always comes though eventually?*
 - *You can cover with longer hours?*
 - *The work is getting done?*

The Non-Responsive Adviser - Poll

What do you do?

- A. Challenge adviser in writing?
- B. Formally complain to client?
- C. Quit the engagement?

The Unfortunate Encounter

- While on a client's premises, you see uncivil behavior:
 - Senior employee sexually harasses subordinate
 - Subordinate is visibly distressed
 - So are you
- Client dislikes confrontation
- *What do you do?*

The Unfortunate Encounter

- *Does it matter if:*
 - *Subordinate asks for your help?*
 - *Subordinate threatens to quit?*
 - *Senior employee warns you not to get involved?*
 - *You never liked senior employee anyway?*
 - *Senior employee is your personal friend?*

The Unfortunate Encounter - Poll

What do you do?

- A. Report incident to client?
- B. Privately offer to help subordinate?
- C. Do nothing?

The Unethical Competitor

- You and competitor are vying for client
- Competitor criticizes you behind your back
- You think criticisms are inaccurate and unfair
- *What do you do?*

The Unethical Competitor

- *Does it matter if:*
 - *Your source requests anonymity?*
 - *There's (some) truth to the accusations?*
 - *You and the competitor have history?*
 - *You get the client anyway?*

The Unethical Competitor - Poll

What do you do?

- A. Confront competitor?
- B. Correct the record with client?
- C. Say nothing, but redouble your efforts?

The Obnoxious Regulator

- You contact a regulator for your client
- The regulator hates your position
- The regulator erupts
- Your client needs to win
- *What do you do?*

The Obnoxious Regulator

- *Does it matter if:*
 - *You can work with a someone else?*
 - *This regulator has a bad reputation?*
 - *You get your desired outcome anyway?*

The Obnoxious Regulator - Poll

What do you do?

- A. Shout back?
- B. Politely object to regulator's tone?
- C. Go to regulator's supervisor?
- D. Say nothing and keep pressing your position?

The Incompetent Predecessor

- You take on a new client
- Your predecessor gave bad advice
- Your client is change-resistant
- *What do you do?*

The Incompetent Predecessor

- *Does it matter if:*
 - *The advice was just questionable?*
 - *The advice was illegal?*
 - *You've quarreled with your predecessor before?*
 - *Your predecessor is an old friend?*

The Incompetent Predecessor - Poll

What do you do?

- A. Ask predecessor to help?
- B. Get another adviser to weigh in?
- C. Correct going forward?
- D. Quit the engagement?

The Diva Employee

- Your MVP is a terror
 - Fights with colleagues
 - Never his fault
 - Doesn't accept direction
- Clients adore him
- Tough to replace him
- Staff resents him – and you
- *What do you do?*

The Diva Employee

- *Does it matter if:*
 - *The work is getting done?*
 - *Nobody else has actually quit?*
 - *You have a great relationship with him?*
 - *His colleagues seem too sensitive to you?*

The Diva Employee - Poll

What do you do?

- A. Come down hard on the diva?
- B. Rebuke complaining peers?
- C. Make civility an office priority?
- D. Do nothing and let staff work it out?

The Boss from Hell

- Your boss has “high standards”
- Routinely chews people out in public
- You haven’t been attacked ... yet
- Your colleagues are miserable
- *What do you do?*

The Boss from Hell – Part 2

- You become the latest victim
- Your job's not at risk
- You can't just quit
- *What do you do?*

The Boss from Hell – Part 2

- *Does it matter if:*
 - *There wasn't much audience?*
 - *You (sort of) deserved it?*
 - *Your salary isn't affected?*
 - *The boss has personal problems?*
 - *The boss always apologizes eventually?*
 - *Other people have it worse?*

The Boss from Hell – Poll

What do you do?

- A. Tough it out?
- B. Ask the boss for an apology?
- C. Complain to HR?

The Inattentive Participant

- A co-worker runs late to meetings
- He checks emails during discussions
- He tracks and participates – sort of
- He's never nasty
- It drives you nuts
- *What do you do?*

The Inattentive Participant

- *Does it matter if:*
 - *No one else seems offended?*
 - *Meetings achieve objectives?*
 - *You know he's really busy?*
 - *He's your direct report?*
 - *He's your boss?*
 - *Other people follow suit?*

The Inattentive Participant - Poll

What do you do?

- A. Speak with him privately?
- B. Call him out in meetings?
- C. Complain to his boss?
- D. Push for meeting etiquette training?
- E. Ignore it?

The Undeserving Victim

- An employee is foreign born
- You've heard rumors of verbal abuse
- The employee "doesn't want trouble"
- *What do you do?*

The Undeserving Victim

- Does it matter if:
 - *You're in management?*
 - *The employee is in management?*
 - *The employee won't complain?*
 - *The employee is well paid and well treated by management?*

The Undeserving Victim - Poll

What do you do?

- A. Report to HR?
- B. Confront the abusers?
- C. Do nothing?

The Internet Critic

- Your employee has a bad client experience
- She goes online to complain
- The client wants her fired
- *What do you do?*

The Internet Critic

- *Does it matter if:*
 - *She's a great employee?*
 - *It's her first offense?*
 - *The client deserved it?*
 - *She takes the criticism down?*
 - *You don't have Netiquette rules?*

The Internet Critic - Poll

What do you do?

- A. Fire the employee?
- B. Push back with the client?
- C. Adopt a Netiquette policy?
- D. Let it go?

The Terrible, Horrible, No Good, Very Bad Day

- A horrible day ends a miserable month
- A colleague brings you the final straw
- You lose it
- *What do you do?*

The Terrible, Horrible, No Good, Very Bad Day

- *Does it matter if:*
 - *The final straw was minor?*
 - *The final straw was huge?*
 - *The colleague is a subordinate?*
 - *The colleague is your boss?*
 - *Someone else saw it?*
 - *Your company has a civility policy?*
 - *You've done this before?*

The Terrible, Horrible, No Good, Very Bad Day - Poll

What do you do?

- A. Apologize to colleague?
- B. Apologize to witnesses?
- C. Confess to your boss?
- D. Say nothing, but resolve to do better?

The Departing Employee

- Your star employee resigns
- She says it's over chronic abuse from a colleague
- You had no idea
- *What do you do?*

The Departing Employee – Part 2

- The employee says you're the abuser
- Again, you had no idea
- You don't know what you did
- *What do you do?*

The Departing Employee – Part 2

- *Does it matter if:*
 - *The employee never complained before?*
 - *No one else has complained?*
 - *You were joking?*
 - *The employee is protected by law?*

The Departing Employee - Poll

What do you do?

- A. Apologize and ask her to stay?
- B. Let her leave?
- C. Confess to HR or your boss?

Conclusion

“Civility costs nothing,
and buys everything.”

Mary Wortley Montagu

Questions?

